

Minutes

April 20, 2010

N. C. Board of Agriculture

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Casey M. Armstrong

Kirk Mathis

Maurice K. Berry, Jr.

Elbert R. Pitt, Jr.

Jean J. Boseman

Larry Sampson

William F. Johnston

Douglas I. Torn

C. Osmond Kearney, Jr.

Jeffery B. Turner

Steve Troxler, Chairman

## Table of Contents

Call to Order

Proposed Rules – Plant Industry Division

Proposed Rules – Veterinary Division

Proposed Rules – State Fair Division

Rental Rate Schedule for State Fair Facilities

Other Business

## Minutes

April 20, 2010

### N.C. Board of Agriculture

The April 20, 2010 Board of Agriculture meeting was held at 1:00 p.m. at the Southeastern Agricultural Center in Lumberton, North Carolina. Commissioner of Agriculture Steve Troxler called the meeting to order, read the ethics reminder, and called upon Mr. Zane Hedgecock to begin the meeting with prayer. The following Board members were in attendance: Casey Armstrong, Jeff Turner, Doug Torn, Larry Sampson, Kirk Mathis, Billy Johnston, and Maurice Berry.



The first item on the agenda was the approval of the minutes of the last Board meeting. Casey Armstrong asked that her last name be corrected in the list of those present at the beginning of the minutes. Upon MOTION by Kirk Mathis, seconded by Jeff Turner, the minutes of the November 20, 2009 meeting were approved with the correction of Ms. Armstrong's last name. The motion carried by unanimous vote.



The second item before the board was proposed rules to increase fees for nursery inspection and collected plant certificates. Gene Cross, Director of the Plant Industry Division, addressed the board concerning the proposed rules. Mr. Cross explained the increase in the fees will increase projections by about \$70,000 a year and will help Plant Industry meet their budget. He added that had met with the Nursery and Landscape Associations who understand why the changes need to be made.

Mr. Cross added that the changes had been approved by the General Assembly as part of the 2009 Appropriations bill. Therefore, they are asking the board to adopt the changes so the code will reflect the increases enacted by last year's budget.

Following a question by Doug Torn, David McLeod explained that normally the board would see the changes before they are made into law, but the General Assembly took action to make up for the budget shortfall. Commissioner Troxler noted that the General Assembly mandated that the board review fees every two years.

Upon MOTION by Mr. Sampson and seconded by Jeff Turner, the rules increasing the fees for nursery inspections and collected plant certificates were adopted. The motion carried by unanimous vote.



Commissioner Troxler called upon Dr. David Marshall, State Veterinarian, to address the board regarding proposed amendments updating the avian influenza rules. Dr. Marshall deferred to Dr. Sarah Mason, who oversees the poultry health program. Dr. Mason explained to the board that the current rule for birds entering North Carolina does not require testing for AI, and the proposed changes would correct that. She noted that the proposal had the support of the North Carolina Poultry Federation and that the board had a copy of their letter.

Opening the floor for any questions, Don Butler asked to address the board on this issue. Mr. Butler stated that he raises rare pheasants as a hobby. Occasionally, he needs to send birds to other states or have birds come into North Carolina from other states. Mr. Butler raised concerns with the proposed language that a bird be tested 21 days before entering the state. Mr. Butler wanted to know how to be compliant with the law when another state or seller was unable to test the bird.

Dr. Marshall reported that after conversations with Dr. Mason and Mr. McLeod, they would add language stating that a bird may be tested after it comes into the state, but before introduction into the flock, with prior approval from the State Veterinarian.

Discussion ensued about the difficulties other states have testing the birds and our ability to quarantine a bird if it tests positive for a disease. Dr. Marshall and Dr. Mason both agreed that the new language would give the State adequate protection and the ability to deal with the rare bird inventory in North Carolina.

There being no further questions on the issue, Kirk Mathis made the MOTION to adopt the proposed rules with the amended changes. The motion as seconded by Larry Sampson and carried by unanimous vote.

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Commissioner Toxler then called upon Wesley Wyatt, State Fair Manager, to go over the increases in the State Fair admission prices and facility rental rates. Mr. Wyatt presented the board with the proposal to increase admission prices by one dollar (\$1) at the gate as well as in advance sales. The group rate is proposed to be raised by twenty-five cents (\$0.25). Mr. Wyatt noted that there would be no affect on senior citizens, military day, or canned food day. He explained the increase was needed to help with the rising costs in payroll, utilities and other business related expenses.

Commissioner Toxler explained to the Board that although they did not want to raise the rates, they want the State Fair to be a top-notch facility. Mr. Wyatt pointed out that the rates are very competitive allowing them to get certain shows and events throughout the year.

Upon MOTION by Doug Torn, seconded by Jeff Turner, the proposed increases to State Fair admission prices and facility rental rates were approved. The motion carried unanimously.

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Mr. Ron Moore, Assistant Director of the Marketing Division, was called upon to go over the next item on the agenda. Mr. Moore presented a correction to the rental rate schedule for the Western North Carolina Agricultural Center that was adopted at the November 10, 2009 meeting. When the schedule was approved in November, language relating to ticket sales was inadvertently left off of the fees for the two new buildings in Fletcher. The Board has been provided the new language.

Jeff Turner MOVED that the rate change request be approved with the additional language, and that motion was seconded by Doug Torn. The motion carried by unanimous vote.

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Commissioner Troxler called upon Joy Hicks, Policy Development Analyst and Ray Starling, General Counsel, to update the Board on the budget and legislative issues. Ms. Hicks explained that the current budget ends June 30<sup>th</sup>. The current budget of \$56 million has taken an almost twenty percent (20%) cut in the last two years. The Governor's proposed budget includes a seven percent (7%) cut to the Department, the closing of Rose Hill Vet Lab, and the elimination of nine filled and nine vacant positions.

After some discussion, Jeff Turner asked that the Department put together a list of what is needed to be put back into the budget.

Ray Starling then addressed the Board about the upcoming legislative session, noting that there will not be as many bills in the short session as there was last year. He noted two issues that will be monitored: dog breeders and water restrictions.

Being no further questions on legislative issues, Commissioner Troxler called upon the Board to help with the budget issues.

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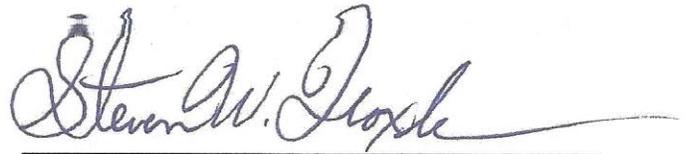
Doug Torn requested that the Board have a discussion about the fire ant quarantine protocol and changes to the process at the next Board meeting.

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Kirk Mathis moved that the meeting be adjourned, which MOTION was seconded by Mr. Larry Sampson. The motion carried by a unanimous vote and the meeting was adjourned at 2:39 p.m.

Recorded and Prepared by:  
Christina L. Waggett

Adopted by the Board this 10<sup>th</sup> day  
of November, 2010.

A handwritten signature in cursive script, reading "Steven W. Troxler", written in black ink. The signature is fluid and extends to the right with a long horizontal stroke.

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Steven W. Troxler  
Commissioner of Agriculture  
Chairman

A handwritten signature in cursive script, reading "David S. McLeod", written in black ink. The signature is fluid and extends to the right with a long horizontal stroke.

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David S. McLeod  
Secretary