

Minutes

April 9, 2014

N. C. Board of Agriculture

Casey M. Armstrong

Kirk Mathis

Maurice K. Berry, Jr.

Mark Peters

Doug Boyd

Bert Pitt

Tommy Burleson

Robert Sutter

John William Carter, III

Jeffrey Turner

William Johnston

Steve Troxler, Chairman

Table of Contents

Call to Order

Approval of Minutes

Proposed Rules

HB 74 Overview

Revision of Fire Ant Quarantine

Other Business

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The Board of Agriculture meeting on April 9, 2014 was held at the Martin Building at the N.C. State Fairgrounds. Commissioner of Agriculture Steve Troxler called the meeting to order at 2:04 pm and read the Ethics Reminder. Dr. Richard Reich then opened the meeting with an invocation. The following Board members were in attendance: Casey Armstrong, Maurice Berry, Doug Boyd, Tommy Burluson, Billy Carter, Billy Johnston, Kirk Mathis, Bert Pitt, Bob Sutter, and Jeff Turner.



After introductions and discussion on the agricultural conditions in each member's area, Kirk Mathis made the MOTION to approve the minutes from the August 29th, 2013 and November 6th, 2013 meetings. The motion was seconded by Jeff Turner. There was no discussion and the motion passed by unanimous vote.



Commissioner Troxler asked Dr. Colleen Hudak-Wise, Director of the Agronomics Division, to present the proposed amendments to the plant analysis service. These amendments, consisting of increased fees, were previously approved by the Board as temporary rules in November and need to be approved by the Board as a permanent rule.

Upon MOTION by Billy Johnston to approve the changes permanently and second by Jeff Turner, there was some discussion regarding the North Carolina's budget and the need to adequately provide services to the agricultural community. After discussion, the motion passed unanimously.

Dr. Hudak-Wise then updated the Board on the new soil sampling policy that was in effect from November to March 31st. She also gave an update on Nematodes.



Wesley Wyatt, the State Fair Manager, then presented proposed changes to the annual State Fair's admission prices and hours of operation. The amendment would codify the prices that were in place for the 2013 fair. The General Assembly had given the Department of Agriculture authority to set the admission prices for the 2013 fair without going through the normal rulemaking process. The amendments also reflect the current hours of operation.

Billy Carter made the MOTION that the changes be approved. During discussion, it was noted that a change needed to be made to show that both weekends, Friday through Sunday, will be open until Midnight. Tommy Burluson then made the MOTION that the rules as presented be

approved with the amendment reflecting the correct times for both weekends. After a second by Bert Pitt, the motion carried unanimously.

Mr. Wyatt then gave an update on various projects taking place on the fairgrounds, including the creation of additional space. Before moving on, there was an update on a possible change to the revenue law that would require us to get approval from the Board to change admission prices again. The new law would require the State Fair to charge tax on admission. Since the State Fair would not be able to deal in change, they would propose a flat fee that included the required tax.



Commissioner Troxler asked that Joe Reardon discuss a request from the NC Egg Association to amend the NC Egg Law making it unlawful to repackage eggs at any retail outlet to be offered for sale. Joe Reardon, Assistant Commissioner for Consumer Protection, explained the issue with food safety and the loss of traceability when eggs are repackaged to make full cartons for sale. Industry has been consulted and everyone is on board with the changes.

Upon MOTION by Kirk Mathis, with second by Maurice Berry, it was approved by unanimous vote for the Department of Agriculture to start the rulemaking process with this amendment.



Chrissy Waggett, Rule-making Coordinator, was then asked to give an update on House Bill 74: Periodic Review and Expiration of Existing Rules. This bill, passed last year, requires all agencies to review all of their rules every 10 years. The Department will go through each rule, classify them as “Necessary with Substantive Public Interest,” “Unnecessary,” or “Necessary without Substantive Public Interest.” The Board will approve the classifications and then post the list for a 60 day comment period. The Board will then need to approve the list again once comments are received. The Rules Review Commission will review the report and if approved, all rules marked unnecessary will be automatically repealed. All others will need to be adopted again. The first set of rules will be reviewed at the July 9th Board meeting.



Commissioner Troxler then asked Vernon Cox, Director of the Plant Industry Division, to explain the request to expand the Fire Ant Quarantine. Phil Wilson, Plant Pest Administrator, was also available for any questions. The Federal quarantine expanded to Lincoln and Catawba County effective January 1st. We now have 71 out of 100 counties quarantined.

Kirk Mathis made the MOTION to approve the quarantine as presented. After a second by Jeff Turner, the vote was unanimous.



Joy Hicks was called upon to present a quick update on the upcoming legislative session that would begin on May 14th. The very short session will be an opportunity to adjust the budget. There was some discussion on the capital projects the Department has and the make up of the appropriations and agriculture committees.



Commissioner Troxler announced that the Board would be meeting quarterly, with meetings already set for July and October.

There was no further business to discuss. A MOTION was made by Bert Pitt, and seconded by Kirk Mathis to adjourn. The motion carried unanimously and the meeting adjourned at 3:25 pm.

Recorded and Prepared by:
Christina L. Waggett

Adopted by the Board this 9th day
of July, 2014.

A handwritten signature in blue ink that reads "Steven W. Troxler". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Steven W. Troxler
Commissioner of Agriculture
Chairman

A handwritten signature in blue ink that reads "Tina Hlabse". The signature is cursive and somewhat stylized, with a horizontal line underneath.

Tina Hlabse
Secretary