

Montana Board of Milk Control
Meeting Minutes – Time Stamp Record to Accompany Meeting Recording

February 4, 2016 12:00 p.m.
 Montana State Capitol Building - Room 172
 1301 E. 6th Avenue, Helena, Montana

Agenda may change up to 48 hours prior to the meeting.
 Latest version of agenda will be posted at <http://www.liv.mt.gov/mc/public.mcp>

PUBLIC MEETING

Call to Order

Chairperson Scott Mitchell called the meeting to order at 12:03 p.m. in Room 172 at the Montana State Capitol Building, 1301 E. 6th Avenue, Helena, Montana.

Attendance

Board Members:

	Present	Absent
W. Scott Mitchell, Chair	X	
Jerry A. Weissman, Vice Chair	X	
R. James Parker	X	
Erik Somerfeld	X	

Montana Department of Livestock Staff:

Chad Lee, Bureau Chief, Milk Control Bureau
 Mark Curtis, Dairy Accountant, Milk Control Bureau
 Rob Stutz, Montana Department of Justice, Agency Legal Services (attorney representing the Montana Department of Livestock)

Guests:

Taylor Brown, Senator, Montana Legislature
 Mike Honeycutt, Executive Officer, Montana Department of Livestock
 David Miller, Montana Correctional Enterprises Dairy / Producer Committee
 Andy Wipf, Big Sky Colony / Producer Committee
 Mark Wipf, Big Sky Colony

AGENDA ITEM		TIME STAMP	
ROLL CALL & INTRODUCTIONS		0:00 - 6:01	
I. MINUTES			
A. Regular Session	I.B	6:01 – 7:37	
Motion: Mr. Somerfeld moved and Mr. Parker seconded the motion to approve the time stamp document and audio recording minutes of the December 3, 2015 Board of Milk Control meeting. The motion carried. All members voted in favor.	Motion	7:05 – 7:37	

AGENDA ITEM	TIME STAMP
II. UNFINISHED BUSINESS & GENERAL ORDERS	
<p>A. MAR Notice 32-15-269 (Fiscal Year 2017 Assessment Rates)</p> <p>Motion: Mr. Weissman moved and Mr. Somerfeld seconded the motion to adopt as drafted the comments and board responses for the rulemaking for MAR 32-15-269. The motion carried. All members voted in favor.</p> <p>Motion: Mr. Somerfeld moved and Mr. Parker seconded the motion to adopt the amendment to ARM 32.23.301 as proposed in MAR Notice 32-15-269 as proposed. The motion carried. All members voted in favor.</p>	<p>II.A 7:37 – 11:37 and 16:10 – 18:30</p> <p>Motion 10:52 – 11:37</p> <p>Motion 17:25 – 18:30</p>
<p>B. MAR Notice 32-15-270 (Pooling Plan Definitions & Producer Committee)</p> <p>Motion: Mr. Somerfeld moved and Mr. Weissman seconded the motion to adopt as drafted the comment and board response for the rulemaking for MAR 32-15-270. The motion carried. All members voted in favor.</p> <p>Motion: Mr. Somerfeld moved and Mr. Parker seconded the motion to adopt the amendment to ARM 32.24.506 and ARM 32.24.511 as proposed in MAR Notice 32-15-270. The motion carried. All members voted in favor.</p> <p>Motion: Mr. Weissman moved and Mr. Somerfeld seconded the motion to direct the bureau to prepare a descriptive producer committee informational summary and an application form to be mailed to all pool producers upon approval by the board chair. The motion carried. All members voted in favor.</p>	<p>II.B 11:37 – 15:18; 16:10 – 18:30; and 1:08:06 – 1:10:04</p> <p>Motion 14:56 – 15:18</p> <p>Motion 17:25 – 18:30</p> <p>Motion 1:09:39 – 1:09:46</p>
III. NEW BUSINESS	
<p>A. MAR Notice 32-16-272 (Proposal to Adopt New Rules Pertaining to Penalties)</p> <p>Motion: Mr. Weissman moved and Mr. Somerfeld seconded the motion to initiate the rulemaking set forth in the MAR Notice 32-16-272 as presented, limiting the maximum delinquency fee to 200% of the amount of all accrued assessments. The motion carried. All members voted in favor.</p>	<p>III.A. 15:18 – 16:10 and 18:30 - 1:08:06</p> <p>Motion 1:07:11 – 1:08:06</p>
<p>B. Milk Control Bureau Report (Chad Lee)</p>	<p>III.B. 1:10:04 – 1:19:52</p>

AGENDA ITEM	TIME STAMP
<p>C. Executive Planning Process Request Development – 2019 Biennium Budgeting</p> <p>Break (1:24 p.m. - 1:44 p.m.)</p> <p>Motion: Mr. Somerfeld moved and Mr. Parker seconded the motion to direct the bureau to work with the department and the Board of Livestock to develop an executive planning process request for budget authority of up to \$100,000 in the 2019 biennium for consulting fees to conduct a study concerning the Milk Control Act and things under the purview of the Board of Milk Control. The bureau shall keep the board chair informed of progress and consult with the chair on the language and content of the request to be submitted and complete a draft before the next regular board meeting. The request is to be completed before the next regular board meeting. The motion carried. All members voted in favor.</p>	<p>III.C. 1:19:52 – 1:21:34 and 1:41:17 – 1:50:27</p> <p>Break 1:21:34 – 1:41:11</p> <p>Motion 1:48:55 – 1:49:55</p>
<p>D. 2017 Legislation Process</p> <p>Motion: Mr. Somerfeld moved and Mr. Parker seconded the motion to direct the bureau to work with the department and the Board of Livestock to draft department legislation to (1) transfer 81-23-202(4), MCA out of Montana Code Annotated Title 81 Chapter 23 to an appropriate chapter and (2) amend 81-23-202(7), MCA to remove all references to Montana Code Annotated Title 81 Chapter 22 and make any other necessary clarifications. The motion carried. All members voted in favor.</p> <p>Motion: Mr. Somerfeld moved and Mr. Parker seconded the motion to direct the bureau to work with the department and the Board of Livestock and to monitor for proposed actions or legislation that would impact the Board of Milk Control, Milk Control Bureau, or related statutes that pertain to the Board of Milk Control. The bureau shall report developments to the board chair. The motion carried. All members voted in favor.</p>	<p>III.D. 1:50:27 – 2:24:58</p> <p>Motion 2:20:50 – 2:21:38</p> <p>Motion 2:22:13 – 2:22:54</p>
<p>IV. OTHER NEW BUSINESS</p>	<p>IV. 2:24:58 – 2:25:11 NO OTHER NEW BUSINESS</p>
<p>V. PUBLIC COMMENT</p>	<p>V. 2:25:11 – 2:25:35 NO PUBLIC COMMENT</p>
<p>VI. ADJOURNMENT</p> <p>Chair Scott Mitchell tentatively scheduled the next board meeting to begin at 12:00 p.m. on March 25, 2016 in Helena, Montana.</p> <p>Motion: Mr. Parker moved and Mr. Weissman seconded a motion to adjourn. The motion carried. All members voted in favor.</p> <p>Mr. Mitchell adjourned the meeting at 2:41 p.m.</p>	<p>VI. 2:25:35 – 2:37:37</p> <p>Motion 2:37:24 – 2:37:37</p>

Time stamps were recorded during the meeting and reviewed and adjusted by bureau staff.

REVIEWED BY

(Initials):

MC

Mark Curtis, Dairy Accountant, Milk Control Bureau

CL

Chad Lee, Bureau Chief, Milk Control Bureau

Montana Board of Milk Control

Meeting Agenda

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WELCOME

ROLL CALL & INTRODUCTIONS

W. Scott Mitchell, Chair

Jerry A. Weissman, Vice-Chairperson

Jim Parker

Erik Somerfeld

Montana Department of Livestock Staff

Guests

I. MINUTES

II. UNFINISHED BUSINESS & GENERAL ORDERS

- A. MAR Notice 32-15-269 (Fiscal Year 2017 Assessment Rates)
- B. MAR Notice 32-15-270 (Pooling Plan Definitions & Producer Committee)

III. NEW BUSINESS

- A. MAR Notice 32-16-272 Proposal to Adopt New Rules Pertaining to Penalties
- B. Milk Control Bureau Report (Chad Lee)
- C. Executive Planning Process Request Development - 2019 Biennium Budgeting
- D. 2017 Legislation Process

IV. OTHER NEW BUSINESS

V. PUBLIC COMMENT

VI. ADJOURNMENT