

# **MICHIGAN COMMISSION OF AGRICULTURE AND RURAL DEVELOPMENT**

## **Meeting Held via Remote Technology**

### **MEETING MINUTES NOVEMBER 5, 2020**

#### **PRESENT:**

Brian Pridgeon, Chair, Michigan Commission of Agriculture and Rural Development  
Dru Montri, Vice Chair, Michigan Commission of Agriculture and Rural Development  
Charlie Meintz, Secretary, Michigan Commission of Agriculture and Rural Development  
Patricia Bergdahl, Michigan Commission of Agriculture and Rural Development  
Tim Boring, Michigan Commission of Agriculture and Rural Development  
Gary McDowell, Director, Michigan Department of Agriculture and Rural Development

#### **CALL TO ORDER AND ROLL CALL**

Chairperson Pridgeon called the meeting of the Commission of Agriculture and Rural Development to order at 8:30 a.m. on November 5, 2020. He advised today's meeting is being conducted via remote technology to protect the health of Commission members, the state, and the public due to the Coronavirus by limiting the number of people at public gatherings. He announced that all decisions today will be made by roll call vote and shared details on how the public comment period would be conducted.

Chairperson Pridgeon called the roll with the following Commissioners present: Commissioner Bergdahl in Scandia, Michigan; Commissioner Boring in Stockbridge, Michigan; Commissioner Meintz in Stephenson, Michigan; Commissioner Montri in Bath, Michigan; and Commissioner Pridgeon in Montgomery, Michigan. Director McDowell was also present.

#### **APPROVAL OF AGENDA**

**MOTION: COMMISSIONER MONTRI MOVED TO APPROVE THE MEETING AGENDA FOR NOVEMBER 5, 2020. SECONDED BY COMMISSIONER BERGDAHL. MOTION CARRIED BY ROLL CALL VOTE.**

#### **APPROVAL OF SEPTEMBER 16, 2020, MEETING MINUTES**

**MOTION: COMMISSIONER BERGDAHL MOVED TO APPROVE THE SEPTEMBER 16, 2020, MEETING MINUTES AS AMENDED ON PAGE FIVE. SECONDED BY COMMISSIONER MEINTZ. MOTION CARRIED BY ROLL CALL VOTE.**

#### **PROPOSED 2020 MEETING SCHEDULE**

The Commission discussed the proposed 2021 meeting schedule. It was confirmed proposed dates can be changed by the Commission, as well as special meeting dates added as needed throughout the year.

**MOTION: COMMISSIONER MEINTZ MOVED TO APPROVE THE PROPOSED 2021 MEETING SCHEDULE. SECONDED BY COMMISSIONER MONTRI. MOTION CARRIED BY ROLL CALL VOTE.**

The next scheduled meeting is January 20, 2021, location to be determined.

**COMMISSIONER COMMENTS AND TRAVEL**

Commissioners shared information relative to agriculture in their respective areas, as well as details around recent industry meetings in which they participated. There was no travel submitted for approval.

**COMMISSIONER ISSUES**

Commissioner Pridgeon reviewed a retirement resolution honoring Beth Swank, a 30-year employee with the State of Michigan.

**MOTION: COMMISSIONER BERGDAHL MOVED THE RESOLUTION HONORING BETH SWANK BE ADOPTED WITH BEST WISHES FOR HER LONG AND HEALTHY RETIREMENT. COMMISSIONER MEINTZ SECONDED. MOTION CARRIED BY ROLL CALL VOTE.**

Commissioner Montri reminded Commissioners and farmers of the important services provided by the Agriculture Mediation Program, which continues to work during the COVID-19 pandemic. Their website is [www.agmediation.org](http://www.agmediation.org).

**DIRECTOR'S REPORT**

The Director shared details around the Michigan Department of Agriculture and Rural Development (MDARD) return to work efforts, implications of the October 12 Michigan Supreme Court decision, and the Governor's Executive Order on Climate Change. He also shared specifics of recent meetings in which he has participated, including the Midwest Ag Directors and Tri-National Accord, as well as noting this afternoon's MDARD Employee Awards Ceremony.

In response to inquiries from Commissioners Montri and Meintz, the Director advised the Climate Change Council effort will be led by the Department of Environment, Great Lakes, and Energy (EGLE) and members should be appointed by year's end. It is anticipated MDARD will be a member to help ensure agriculture is part of the solution. More specifics will be forthcoming early next year.

**MSU VETERINARY DIAGNOSTIC LABORATORY – COLLABORATION BETWEEN GOVERNMENT, ACADEMIA, AND INDUSTRIES: Birgit Puschner, Dean, MSU College of Veterinary Medicine; and James Averill, Interim Director, MSU Veterinary Diagnostic Laboratory**

Dr. Puschner provided an overview of the programs housed within the College of Veterinary Medicine, which is ranked number three in the U.S., and noted they provide a solid backbone to protect animal and human health. She emphasized two very important services include the Veterinary Diagnostic Laboratory (VDL) and the Veterinary Medical Center (VMC).

Dr. Averill provided a history of the MSU VDL, which is a fully accredited premier veterinary diagnostic lab for all species. He delineated the numerous important services available to customers across the U.S. and internationally, demonstrating its importance to Michigan agriculture. VDL's mission is to protect, investigate, educate, and collaborate with all agriculture partners, including MDARD and other state and federal agencies. With that critical level of collaboration and outreach, VDL is able to provide a high level of quality services.

Director McDowell thanked Dr. Averill for his years of outstanding service to MDARD and the citizens of Michigan and advised he looks forward to continuing to work with him in his new role with MSU.

As a livestock partner with VDL, Commissioner Pridgeon thanked Dr. Averill and the VDL staff for their expert assistance, noting they play an important role in his operations.

### **TRIBAL CONSULTATION: Brad Deacon, Director, Legal Affairs and Emergency Management**

Mr. Deacon provided an update on the department's role with tribal governments in the State of Michigan, noting he serves as the Tribal Liaison for MDARD. He reviewed concepts and specifics around tribal sovereignty, consultation, and tribal relations, as well as the 2002 Government to Government Accord and Executive Directive 2019-17 which expanded those expectations and requirements. Under the Directive, each state agency must have a policy on Tribal Consultation.

As of October 1, the department has adopted a policy on Tribal Consultation, which requires MDARD to use a process to evaluate serious decisions and policies in which any of the 12 federally recognized tribes may have interest, as well as providing an opportunity for dialog and meaningful input. The 12 separate Michigan tribes are independent governments with shared interests in the stewardship of our state.

In response to questions from Commissioner Montri, Mr. Deacon advised Right to Farm and the Michigan Agriculture Environmental Assurance Programs have been discussed with the Tribal Environmental Group. He will advise if there is future interest from tribal governments in any of the Commission specific activities.

In response to inquiry from Commissioner Meintz, Mr. Deacon noted there is a process in federal law for when a tribe seeks to have land held in trust for them by the federal government. The process includes a review of local and state impacts including the loss in property tax revenue, and an opportunity for the local and state government to weigh in.

### **NURSERY INSPECTION FEES: Mike Philip, Division Director, Pesticide and Plant Pest Management Division**

Mr. Philip advised PPPMD requests the Commission approve a proposed increase in its nursery and related inspection fees by an amount related to inflation, as authorized through P.A. 189 of 1931. Program costs are approximately \$3 million, with licensing and inspection fee revenue totaling about \$1 million. He reviewed specifics of the requested increase, which totals \$5,000 in additional revenue.

**MOTION: COMMISSIONER MEINTZ MOVED TO APPROVE THE PROPOSED INCREASE TO THE NURSERY INSPECTION FEES. SECONDED BY COMMISSIONER BORING. MOTION CARRIED BY ROLL CALL VOTE.**

**ENVIRONMENTAL JUSTICE RESPONSE TEAM: Regina Strong, Environmental Justice Public Advocate, Michigan Department of Environment, Great Lakes, and Energy**

Ms. Strong shared specifics of the efforts of the Office of Environmental Justice and the engagement of MDARD in that work. She provided a definition and history of environmental justice in Michigan, which includes creation of the Interagency Environmental Justice Response Team in 2019. As one of the key state agencies involved, MDARD is very active in the team and is an integral partner in advancing environmental justice for the State of Michigan.

Various aspects of the Environmental Justice Public Advocate role were reviewed, including collaboration with public and private agencies and organizations. She explained details around accomplishments of the several Response Team workgroups who have been working toward implementation to move efforts forward over the next few years. Several communications and outreach activities are planned for December and early 2021 and engagement with communities throughout the state to address equitable application of environmental laws and regulations is underway.

In response to inquiry from Commissioner Pridgeon, Ms. Strong advised challenges include reaching environmental justice communities who may not have internet access to provide them with the same level of connectivity, especially while the pandemic continues.

In response to questions from Commissioner Montri, Ms. Strong advised calls are received on a variety of issues, with few being from an agriculture perspective. She explained their collaborative process, which has the goal of reaching resolution before rising to the complaint level.

**PUBLIC COMMENT (AGENDA ITEMS ONLY)**

There was no public comment relative to agenda items.

**RECESS AND RECONVENE**

Chairperson Pridgeon recessed the meeting at 9:48 a.m. for a brief break. He reconvened the meeting at 10:00 a.m.

**GENERALLY ACCEPTED AGRICULTURAL MANAGEMENT PRACTICES (GAAMPS) – PROCESS AND INTRODUCTION OF PROPOSED 2021 GAAMPS: Jim Johnson, Division Director, and Mike Wozniak, Acting Right to Farm Manager, Environmental Stewardship Division**

Mr. Johnson noted the Right to Farm (RTF) Act gives the Commission of Agriculture and Rural Development responsibility for the Generally Accepted Agricultural Management Practices (GAAMPS) which RTF staff use to determine compliance with the conditions necessary under the RTF Act. The Act dictates the GAAMPS be reviewed annually by the Commission and revised as necessary. Today, the proposed 2021 GAAMPS are introduced for the Commission's review between now and the January meeting, with anticipated decision regarding the 2021 GAAMPS at that time.

Mr. Wozniak reviewed specifics of the GAAMPs process, including how changes are made, operation of the Task Force Committees, and the review process timeline. He detailed changes being proposed for the 2021 Manure Management and Utilization, Care of Farm Animals, and Site Selection and Odor Control for New and Expanding Livestock Facilities GAAMPs. Only minor reference and grammatical changes are proposed for the Pesticide Utilization and Pest Control, Nutrient Utilization, Cranberry Production, Irrigation Water Use, and Farm Market GAAMPs.

In response to inquiry from Commissioner Meintz, extensive discussion ensued relative to nuisance complaints, evaluation during inspections, and how the department resolves specific complaints. Mr. Johnson advised RTF staff responds to every complaint. Commissioner Meintz advised he feels farm relations with the public have improved substantially this year because of the shortage of food this spring due to COVID-19.

Commissioner Pridgeon cited two needs that farmers have in partnership with the department, the first is around the sound science and practices in the GAAMPs, and the second is having a partner in MDARD to help mitigate neighbor relations, which the RTF staff does very well.

Commissioner Montri acknowledged the Public Comment form that has been created and available on MDARD's website and thanked the RTF staff for that work. It is a very helpful tool for interested parties.

Commissioner Montri suggested there might be a role for the Michigan Ag Mediation Program in some of the ongoing neighbor relations disputes. It may be another resource that could be provided to farming communities.

Commissioner Montri suggested changing the GAAMPs timeline in the future with introduction of new GAAMPs in January and approval in March to provide for more inclusion of newly appointed Commission members. The introduction conversation is an important part of the process and would be valuable to those new members.

In response to question from Commissioner Montri, Mr. Wozniak advised definition of Task Force chair and committee member responsibilities is currently being developed.

Commissioner Montri asked that each of the GAAMP Chairs confirm their committee membership prior to the January 2021 Commission meeting.

In response to question from Commissioner Pridgeon relative to the Site Selection GAAMP, Mr. Johnson and Mr. Wozniak discussed rationale behind including the manure storage structure setback in an expansion or retrofit process, noting that topic has consumed considerable committee effort. The Site Selection GAAMP Chair will be available to explain further during the January Commission meeting. In relation to science behind the Odor Mitigation Tool, Commissioner Pridgeon requested the GAAMP Chair provide discussion points that would help create a balance for farmers in Michigan prior to approval of the 2021 GAAMP in January.

Commissioner Boring advised the GAAMPs need to continue demonstrating scientific basis and incorporate improved science to better assist in making determinations.

Commissioner Pridgeon confirmed, noting that is currently needed relative to application of manure and in the role of vegetation barriers in moving the odor plume.

Commissioner Pridgeon thanked the Task Force Committees for their ongoing efforts in continuing to improve the GAAMPs. Mr. Johnson advised Task Force Chairs will be invited to the January Commission meeting to answer any specific questions the Commissioners may have.

**FOOD AND AGRICULTURE INVESTMENT FUND REQUEST: Peter Anastor, Division Director, Agriculture Development Division**

Mr. Anastor advised three Food and Agriculture Investment Fund projects are being presented for Commission consideration today. The first project is the Muskegon Area First FARM Project, a new food processing incubator/accelerator and business development center. He introduced James Edmonson, President and CEO, and Marty Gerencer, West Michigan Food Processors Association, who reviewed background and details of the project, which will create great efficiencies and a more robust supply chain for Michigan agriculture.

Mr. Anastor advised the total investment of the project is over \$2.1M. MDARD staff recommend the Michigan Commission of Agriculture and Rural Development approve a Food and Agriculture investment Fund performance-based grant of \$63,500 for the Muskegon Area First FARM Project.

Commissioner Montri advised because of her connection with MSU and its involvement with the project, she will abstain from voting today.

**MOTION: COMMISSIONER MEINTZ MOVED TO APPROVE A FOOD AND AGRICULTURE INVESTMENT FUND PERFORMANCE-BASED GRANT OF \$63,500 FOR THE MUSKEGON AREA FIRST FARM PROJECT AS PRESENTED. SECONDED BY COMMISSIONER BERGDAHL. MOTION CARRIED BY ROLL CALL VOTE, WITH COMMISSIONER MONTRI ABSTAINING.**

Mr. Anastor advised the second project today is Star of the West Milling Company, who is expanding their operations through construction of a new flaking facility. He introduced Mike Fassezke, President of the Flour Milling Division, and Lisa Woodke, Sustainability Director. Mr. Fassezke provided a history of Star of the West Milling Company and details of the project for the new product line. The total project investment is \$6.3M.

Mr. Anastor advised MDARD staff recommend the Michigan Commission of Agriculture and Rural Development approve a Food and Agriculture investment Fund performance-based grant of \$80,000 for Star of the West Milling Company. Discussion ensued regarding expected project outcomes, which will create a positive, sustainable impact.

**MOTION: COMMISSIONER MONTRI MOVED TO APPROVE A FOOD AND AGRICULTURE INVESTMENT FUND PERFORMANCE-BASED GRANT OF \$80,000 FOR THE STAR OF THE WEST MILLING COMPANY PROJECT AS PRESENTED. SECONDED BY COMMISSIONER MEINTZ. MOTION CARRIED BY ROLL CALL VOTE.**

Mr. Anastor noted the final project today is Hudsonville Creamery and Ice Cream Company for a major manufacturing expansion and construction of a new cold storage distribution facility and fourth production line. He introduced Jillian Carl, Controller, and Kevin Phillips, CFO, who reviewed the background and details around their current project. Hudsonville Creamery will invest \$83.3M in this project, which will create 45 new jobs at the company. Discussion ensued following questions by the Commission.

Mr. Anastor advised MDARD staff recommend the Michigan Commission of Agriculture and Rural Development approve a Food and Agriculture investment Fund performance-based grant of \$150,000 for Hudsonville Creamery and Ice Cream Company.

**MOTION: COMMISSIONER BERGDAHL MOVED TO APPROVE A FOOD AND AGRICULTURE INVESTMENT FUND PERFORMANCE-BASED GRANT OF \$150,000 FOR THE HUDSONVILLE CREAMERY AND ICE CREAM COMPANY PROJECT AS PRESENTED. SECONDED BY COMMISSIONER MEINTZ. MOTION CARRIED BY ROLL CALL VOTE.**

Commissioner Montri advised it would be helpful as a quick reference in the future to identify collective investment in companies with multiple grant requests. Commissioner Meintz added the program demonstrates the success and growth of the agriculture industry which continues through the support of MDARD.

**FOOD AND AG HOUSING TASK FORCE: Jamie Zmitko-Somers, Acting Deputy Director**

Ms. Zmitko-Somers provided an update on activities of the Agriculture Housing Task Force, noting the Task Force was implemented by the Director in 2019 to address the lack of agricultural housing across the state that exacerbated labor shortages. The department has been pleased by the engagement of growers, community leaders, economic development teams, and other state agencies to ensure input was considered across a broad spectrum. One key result was the need to consider a two-pronged approach, one focusing around lack of housing for migrant, seasonal, and H2A seasonal workers, and the other to ensure identification of affordable housing and better transportation options in regions where food processing is located.

She reviewed recommendation highlights in the draft report developed, which is currently being refined by the Task Force. The final report will include impediments and action plans for implementation moving forward. The report will be shared with the Governor's Office and hopefully released by the end of the year.

In response to inquiry by Commission Montri, Ms. Zmitko-Somers advised one of the key recommendations is for dedicated funding for a number of programs that exist but have not been funded for some time.

**BUDGET UPDATE: Maria Tyszkiewicz, Director, Financial and Office Services**

Ms. Tyszkiewicz reviewed details of the Fiscal Year (FY) 2021 enacted budget for MDARD that includes a gross amount of \$121.3M, with \$63.6M General Fund, which represents an approximate 13 percent increase from FY 2020 General Fund. She reviewed specifics of the major initiatives, as well as reductions for FY 2021.

Discussion ensued regarding the various reductions, in particular around the Pesticide Applicator Program. In response to inquiry from Commissioner Meintz, the Director advised because of COVID-19, transition to online testing as much as possible was required, which may still present an impediment for some. The department is making every effort possible to accommodate the small group that requires in-person testing capability.

Commissioner Montri advised, because the line item for the Food and Agriculture Investment Program is reduced, it would be helpful to have more clarity regarding how we distribute grant funds. This should include criteria, recruitment of companies, managing biases, and ultimately developing recommendations to the Commission.

FY 2022 budget development is underway, with the Revenue Estimating Conference scheduled in January, which will inform how much money is available for the FY 2022 budget.

### **LEGISLATIVE UPDATE: Nathan Kark, Director of Policy Development and Legislative Affairs**

Mr. Kark advised we are headed into the Lame Duck season and all legislation not having been acted upon during this two-year cycle will expire. He referred to the MDARD Legislative Update provided to the Commissioners and reviewed the status around bills of interest to the department.

He noted Senate Bill 852, which provided the final component needed to obtain federal approval of our State Hemp Plan, was signed into law. The plan has since been approved by the U.S. Department of Agriculture, and additional considerations will be forthcoming.

Senate Bill 1133, which would add a Propane Check-Off, is posted for committee, concerns have been expressed, and work with stakeholders continues.

Currently in process are changes to the Michigan Food Law. In addition, the department has implemented a new priority review process.

### **PUBLIC COMMENT**

There was no public comment relative to non-agenda items.

### **DIRECTOR CLOSING COMMENTS**

The Director thanked Commissioner Pridgeon for his service on the Commission these last four years, especially this year as Chairperson. He has done an outstanding job, always having the agriculture community as his first priority, and his passion for the industry is insurmountable.

Commissioner Montri echoed the Director's comments and added she has appreciated the opportunity to work with Commissioner Pridgeon. His ability to summarize conversations leads to very productive meetings and that is a tremendous skill set to bring to the Commission. Although we do not know what the opportunity for his reappointment may be, she expressed her recognition of this leadership and thanked him again.



Commissioner Pridgeon advised it has been a pleasure to serve on this Commission and wished MDARD and the Commission all the best in the future.

## **ADJOURN**

**MOTION: COMMISSIONER MEINTZ MOVED TO ADJOURN THE MEETING. COMMISSIONER BERGDAHL SECONDED. MOTION CARRIED BY ROLL CALL VOTE.**

There being no further business, the meeting adjourned at 11:57 a.m.

### Attachments:

- A) *Agenda*
- B) *Agriculture and Rural Development Commission Meeting Minutes September 16, 2020*
- C) *Proposed 2021 Meeting Schedule*
- D) *Retirement Resolution Honoring Beth Swank*
- E) *Director's Update*
- F) *Collaborations Between Government, Academia, and Industries Presentation*
- G) *State Tribal Relations and Consultation Presentation*
- H) *MDARD Administrative Procedure 36 – Tribal Consultation*
- I) *Request for Approval to Increase Nursery and Related Inspection Fees*
- J) *Office of the Environmental Justice Public Advocate Presentation*
- K) *2021 GAAMP Process Review Presentation*
- L) *Draft 2021 GAAMPs, Public Input Meeting Summary, and Public Comments*
- M) *Food and Agriculture Investment Fund Requests*
- N) *Budget Summary Report*
- O) *MDARD Legislative Update: 10/14/2020*