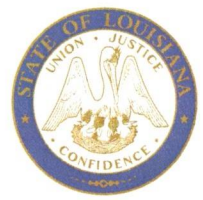




LOUISIANA DEPARTMENT OF AGRICULTURE & FORESTRY  
 MIKE STRAIN DVM  
 COMMISSIONER



LOUISIANA AGRICULTURAL COMMODITIES COMMISSION  
 MEETING MINUTES  
 MAY 29, 2024, 9:30 A.M.  
 LOUISIANA DEPARTMENT OF AGRICULTURE AND FORESTRY  
 VETERANS' MEMORIAL AUDITORIUM  
 5825 FLORDIA BOULEVARD  
 BATON ROUGE, LOUISIANA 70806

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**I. CALL TO ORDER**

The meeting was called to order by Director Gene Cavalier at 9:32 a.m.

**II. ROLL CALL AND DECLARATION OF QUORUM**

LDAF staff, Cindy R. Abbott, called roll.

The following commission members were present:

- Robert Hanks
- Ross Girtman
- Garret Hebert
- Stephen Logan
- Ronald Petree
- Tom Russell
- Larry Sayes
- Commissioner Mike Strain, DVM.\*

With seven (7) members present, a quorum was declared.

\* Commissioner Mike Strain, DVM attended the meeting to present service awards, and did not participate in any votes.

The following commission members were absent:

- Ryan Ellington
- Kevin Webb

**LDAF Staff Present**

Agro Consumer Services Assistant Commissioner: Kevin Finley;  
 Louisiana Agricultural Commodities Commission Director: Gene Cavalier;  
 Weights and Measures Assistant Director: Allison Dumas;  
 LDAF Attorney: Bethany Gonzales;  
 LDAF Auditor: Jeff Fabre;  
 LDAF Agricultural Specialist Grain Program Manager: Chad Price;  
 LDAF Agricultural Specialist Warehouse Program Manager: Todd Breaux;  
 Administrative Coordinator IV: Cindy Abbott.

**III. PUBLIC COMMENT**

Director Gene Cavalier introduced LDAF staff present and new LACC members, Mr. Garret Hebert and Mr. Larry Sayes.

No public comments were made at this time.

#### **IV. ELECTION OF LACC CHAIRMAN AND VICE CHAIRMAN LACC CHAIRMAN**

Robert Hanks was nominated by Ronald Petree. Tom Russell seconded the nomination. All members in favor. Robert Hanks is nominated Chairman of the Louisiana Agricultural Commodities Commission, concurrent with the Louisiana Department of Agriculture and Forestry Commissioner.

#### **LACC VICE CHAIRMAN**

Ronald Petree was nominated by Stephen Logan. Ross Girtman seconded the nomination. All members in favor. Ronald Petree is nominated Vice Chairman of the Louisiana Agricultural Commodities Commission, concurrent with the Louisiana Department of Agriculture and Forestry Commissioner.

#### **V. ADOPTION OF JUNE 26, 2023 MINUTES**

A motion was made by Ronald Petree to approve and adopt the minutes from the June 26, 2023, meeting. Tom Russell seconded the motion. All members in favor. Motion carried.

#### **VI. LACC MEMBER SERVICE AWARDS**

Recently retired commission members Donald Schexnayder and retired Vice Chairman Donald Berken were asked to attend the meeting to be presented with LACC appreciation awards. Donald Berken was present and received his award, presented by Commissioner Mike Strain who thanked him for his years of dedication and service to the Louisiana Agricultural Commodities Commission. Donald Schexnayder was unable to attend.

#### **VII. SELF-INSURANCE FUND AND GRAIN & COTTON INDEMNITY BALANCES**

Director Gene Cavalier stated that as of May 28, 2024, the Grain and Cotton Indemnity Fund (GCIF) balance is \$7,409,080.19 and the Self Insurance Fund (SIF) balance is \$749,882.33.

#### **VIII. 2023 GRAIN AND WAREHOUSE REPORTS**

**A.** Mr. Chad Price: Agricultural Specialist and Grain Program Manager reported on the 2023 grain season. 8,923 railcars and barges were graded as well as fifteen (15) grain elevator facilities. ACS Grain staff consists of eight (8) full time inspectors, five (5) full time laborers, and eight (8) WAE employees. As of 2023, 230 graders were trained and

certified in Louisiana by ACS Grain personnel and grain elevators are very pleased with the training effort. Grading refresher courses are given throughout the year and each licensed grader is certified for three (3) years, at which point they must retest and recertify.

Inspection rate increases are being discussed for the start of the 2025 crop year. Louisiana's last rate increase was twenty (20) years ago. Fee increases will go toward an increase in staffing and offset costs of equipment and fuel. Mr. Price and ACS are looking forward to a good crop year in 2024.

**B.** Mr. Todd Breaux: Agricultural Specialist and Warehouse Program Manager reported: In 2023, the Louisiana Agricultural Commodities Commission licensed 21 warehouses with 39 physical facilities throughout the state. There has been more consolidation of these warehouses than in previous years, resulting in larger facilities. ACS Warehouse staff consists of two (2) fulltime Specialists: Mr. Todd Breaux and Mr. Charles Broussard, responsible for measuring and calculating warehouse tank volume, checking warehouse records, scale tickets, ensuring all facilities have proper, up to date stock insurance, and inspecting and registering each facility's moisture meters. In previous years, state audits were completed by state personnel for the United States Warehouse Act, under USDA guidelines. Due to their exemplary service, the ACS Warehouse Division now works independently of the USWA, while still utilizing USDA guidelines.

In 2023, the 39 facilities housed 42 million bushels of Louisiana commodities. Warehouse stock totals consisted of 3.5 million hundredweights of long grain rough rice, 1.2 million hundredweights of medium grain rough rice, 7.2 million bushels of corn, and 1.8 million bushels of soybeans. Concerns warehouses encountered in 2023 were the rising cost of insurance and natural gas.

#### **IX. OLD BUSINESS**

No old business was presented at this time.

#### **X. NEW BUSINESS**

##### **A. CONSIDERATION OF NEW LICENSE APPLICATIONS FOR APPROVAL**

Pursuant to La. R.S. 42:16, R.S. 42:17(10), and R.S. 3:3421, the commission members voted to enter Executive Session to discuss the financial status and any possible issues with the applicants.

The motion to enter Executive Session was made by Stephen Logan; Larry Sayes seconded the motion. All members were in favor. The motion carried.

Robert Hanks  
Stephen Logan  
Tom Russell  
Ronald Petree  
Ross Girtman  
Garrett Hebert  
Larry Sayes

Seven (7) of the members of the LACC were present and voted to enter Executive Session. The LACC went into Executive Session at 10:11 a.m.

The meeting recording was turned back on at 10:27 a.m. Cindy Abbott called roll and the same seven (7) members of the LACC listed above were present. Ronald Petree made a motion to resume the regular meeting, Tom Russell seconded the motion. All members in favor and the LACC meeting resumed.

**a. NEW GRAIN DEALER LICENSE APPLICANT**

1. CSC GOLD INC.

A motion was made by Ross Girtman to approve the license request and seconded by Ronald Petree. All members in favor. Motion carried.

**B. CONSIDERATION OF LICENSE APPLICATION RENEWALS FOR APPROVAL:**

**a. COTTON MERCHANT AND GRAIN DEALER**

1. LOUIS DREYFUS COMPANY, INC.
2. CARGILL, INC.

A motion was made by Ross Girtman to approve the Cotton Merchant and Grain Dealer license requests, naming the license applicants above individually. The motion was seconded by Tom Russell. All members in favor. Motion carried.

**b. COTTON MERCHANT**

1. CAROLINA COTTON GROWERS
2. JABBOUR COTTON COMPANY, LLC
3. RYAN ELLINGTON COTTON, LLC.

A motion was made by Ross Girtman to approve the Cotton Merchant license requests, naming the license applicants above individually. The motion was seconded by Stephen Logan. All members in favor. Motion carried.

**c. GRAIN DEALER**

1. THE ANDERSONS, INC.
2. ARCHER DANIELS MIDLAND CO.
3. BU GROWERS, LTD
4. BUNGE NORTH AMERICA, INC.
5. CONSOLIDATED GRAIN AND BARGE CO.
6. ERWIN KEITH, LLC.

7. FARMERS GRAIN TERMINAL, INC.
8. GRAIN MARKETING SERVICES, LLC.
9. HENSGENS GRAIN ELEVATOR, INC.
10. JOHNSON BREEDERS, INC.
11. PILGRIMS PRIDE CORPORATION
12. PITRE RICE
13. PRODUCERS RICE MILL
14. PURINA ANIMAL NUTRITION, LLC
15. THE SCOULAR COMPANY
16. STONEX COMMODITY SOLUTIONS, INC.
17. SUNRISE FOODS INTERNATIONAL, INC.
18. TYSON SHARED SERVICES, INC.
19. VITERRA USA GRAIN, LLC.

A motion was made by Tom Russell to approve the Grain Dealer license requests, naming the license applicants above individually. The motion was seconded by Ronald Petree. All members in favor. Motion carried.

#### **d. WAREHOUSE**

1. CROWLEY RICE DRIER CO-OP, INC.

A motion was made by Ronald Petree to approve the Warehouse license request for the license applicant named above. The motion was seconded by Tom Russell. All members in favor. Motion carried.

#### **e. WAREHOUSE & GRAIN DEALER**

1. HOLLY RIDGE RICE & GRAIN
2. SIMPLOT GROWERS SOLUTIONS
3. SUPREME RICE, LLC.

A motion was made by Ronald Petree to approve the Warehouse and Grain Dealer license requests, naming the license applicants above individually. The motion was seconded by Tom Russell. All members in favor. Motion carried.

\*Robert Hanks abstained from voting on (e.3.) SUPREME RICE, LLC.

### **C. CONSIDERATION OF BOARD RESOLUTIONS REGARDING PROMULGATION OF RULES**

- a. Participation in Open Meetings via Electronic Means Accommodations of Disabilities  
Ms. Bethany Gonzales, LDAF attorney, presented resolutions to the board

authorizing LDAF legal department to promulgate rules on behalf of the board regarding open meetings and ADA requirements, petitions for declaratory orders and requests for rule changes. Ms. Gonzales explained that these rules are needed to comply with new laws affecting public bodies.

Ronald Petree made a motion to approve the resolution relative to the promulgation of rules relative to participation in Open meetings via electronic means and accommodations of disabilities. Stephen Logan seconded the motion. All members voted in favor of approving the resolution. The motion carried and the resolution was approved.

#### b. Petitions for Declaratory Orders

Bobby Hanks asked for further clarification on the commission's duties regarding petitions for declaratory orders.

Ms. Gonzales explained that the commission would meet to issue a ruling in the event the commission received a petition for a declaratory order. The draft rule is written to schedule that meeting within 90 days.

Bobby Hanks explained that 90 days may be difficult to achieve due to harvest schedules. He suggested 180 days.

Ms. Gonzales responded that she would work with the other legal staff to extend the timeline, and the resolution does allow for legal staff to make necessary edits to the rules before promulgation.

Tom Russell made a motion to approve the resolution relative to promulgation of rule relative to petitions for declaratory orders. The motion was seconded by Ronald Petree. All members voted in favor of approving the resolution. The motion carried and the resolution was approved.

#### c. Requests for Rule Changes

Ms. Gonzales explained that this rule is needed to allow for interested members of the public to request the commission to amend, adopt, or repeal the rules and regulations of the commission. She further explained that it does not request the board to act in the event of a request, the commissioner or his designee will consider and respond to the requesting party.

Stephen Logan made a motion to approve the resolution relative to promulgation of rule relative to requests for rule changes. The motion was seconded by Tom Russell. All members voted in favor of approving the resolution. The motion carried and the resolution was approved.

### **XI. PUBLIC COMMENT**

No public comment at this time.

## **XII. ANNOUNCEMENT**

Robert Hanks and Tom Russell advised a list of licensees can be found on the LDAF website, as well as the LDAF smartphone app. Jeff Fabre stated if a grower sells their grain to an unlicensed entity, the grower is not eligible for protection under the Grain and Cotton Indemnity Fund.

## **XII. DATE FOR NEXT MEETING**

The next LACC meeting is scheduled for Thursday, June 27, 2024, at 9:30 a.m. Ross Girtman stated he would not be in attendance.

## **XIII. ADJOURNMENT**

A motion was made by Robert Hanks to adjourn the meeting and Tom Russell seconded the motion. All members in favor. The meeting was adjourned at 10:52 a.m.

A handwritten signature in blue ink, appearing to read "Robert Hanks", is written over a horizontal line.

LOUISIANA AGRICULTURAL COMMODITIES COMMISSION CHAIRMAN