

# Minutes

## LOUISIANA DEPARTMENT OF AGRICULTURE & FORESTRY

Louisiana Agricultural Commodities Commission

Veterans' Memorial Auditorium

5825 Florida Blvd.

Baton Rouge, LA 70806

February 10, 2015

9:30 a.m.

### I. Call to Order

Mr. Robert Hanks called the meeting to order at 9:43a.m.

### II. Roll Call and Declaration of Quorum

#### Commission Members Present

Mr. Robert Hanks  
Mr. David Bollich  
Mr. Donald Berken  
Mr. Filmore Bordelon  
Mr. Keith Hensgens  
Mr. Donald Zaunbrecher  
Mr. Stephen Logan

#### Absent Members

Commissioner Strain  
Mr. Lee Carter  
Mr. Ryan Ellington

There was a quorum of seven (7) members present.

#### Staff Members Present

Assistant Commissioner, Office of the Agro Consumer Services, Benjy Rayburn  
Director of the Louisiana Agricultural Commodities Commission,  
Kyra Holden  
Louisiana Department of Agriculture & Forestry Auditor, John Smith  
Louisiana Department of Agriculture & Forestry Auditor, Jeff Fabre  
Louisiana Department of Agriculture & Forestry Auditor, Billy Benton  
Louisiana Department of Agriculture & Forestry, Len Sanders  
Louisiana Department of Agriculture & Forestry, Ronnie Swayze  
Administrative Assistant IV, Bridgette Ott

### III. Public Comment

Mr. Hanks asked if there was any public comment. There was none.

### IV. Adoption of Minutes – October 15, 2014

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Donald Zaunbrecher to amend the minutes to read Donald Berkin instead of David Berkin as was stated in the Old Business section of the October 15, 2014 minutes. A motion was made by Mr. Filmore Bordelon and seconded Mr. Steven Logan to approve the changes. The motion carried unanimously.

A motion was made by Mr. Donald Zaunbrecher and seconded by Mr. Filmore Bordelon to go into executive session. The motion carried unanimously.

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Steven Logan to come out of executive session. The motion carried unanimously.

**V. Consideration of License Applications for Approval:  
(New Application)**

A. Grain Dealer

1. Grainxchange, LLC

Mr. Jim Daven, owner of Grainxchange, LLC's attended the meeting and spoke to the board regarding his background and financial standing as it pertains to Grainxchange, LLC's application to be licensed as a grain dealer.

A motion was made by Mr. Keith Hensgens and seconded by Mr. David Bollich to approve Grainxchange, LLC's Grain Dealer license application. The motion carried unanimously.

**VI. Old Business**

1. Update on Legislative Revision

Ms. Holden stated that she has been working on revisions to the Louisiana Agricultural Commodity Dealer Warehouse Law for submission to the legislature in the upcoming legislative session. The revisions include, but are not limited to, the removal of the language "bond" and replacing it with the language "security". She also stated that there was some confusion regarding the terminology as well as making the law more concise and easier to follow in regards to licensing and all procedures regarding becoming licensed as a grain dealer, cotton merchant or warehouse.

2. Update on Regulation Revision

Ms. Holden stated that revisions to the Administrative Procedure Code were needed, specifically the Agricultural Commodity Dealer and Warehouse Law regulations regarding emergency and temporary storage in warehouses as well as clarifying and revising rules that stated the terminology "bond" to be replaced with the terminology "security". Ms. Holden also stated that the revisions to the regulations cannot begin prior to August of 2015 due to the revisions to the law needing to be in effect first. The board also asked the staff to have someone speak at the next meeting regarding temporary and emergency storage in "pods" as well as the issuance of warehouse receipts on temporary storage.

A motion was made by Mr. Donald Zaunbrecher and seconded by Mr. Filmore Bordelon to go into executive session. The motion carried unanimously.

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Donald Zaunbrecher to come out of executive session. The motion carried unanimously.

3. Update of Self Insurance Fund Claim

Ms. Holden stated that the claim filed against the Self-Insurance fund has not been resolved as far as to all other remedies exhausted prior to considering the payment of a claim from the Self-Insurance Fund.

4. Grain and Cotton Indemnity Fund Balance

Ms. Holden stated the balance of the Grain and Cotton Indemnity Fund is \$3.2 million.

5. Self-Insurance Fund Balance

Ms. Holden stated the balance of the Self-Insurance Fund is \$1.1 million.

**VII. New Business**

1. Licensing Period 2015-2016

Ms. Holden stated that the renewal applications for the upcoming licensing year 2015 – 2016 will be mailed mid-March.

2. Mid-year fund sweep

Ms. Holden stated that the budget cuts to our department include up to a five percent sweep of all statutorily dedicated funds.

**VIII. Public Comment**

Mr. Robert Hanks asked if there was any public comment. There was none.

**IX. Date for the Next Meeting**

The date of the next meeting is scheduled for May 21, 2015.

**X. Adjournment**

A motion was made by Mr. Stephen Logan and seconded by Mr. David Bollich to adjourn the meeting. The motion carried unanimously.

  
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**Mr. Robert Hanks, Chairman**