

**Concentrated Animal Feeding Facility Advisory Committee
Ohio Department of Agriculture**

March 16, 2011

Members/Alternates Present

Andy Miedema, Ohio Dairy Producers Association
Cathy Alexander, Ohio EPA
Chuck Divelbiss, public representative
Dick Lorentz, Water Management Association of Ohio
Glen Feichtner, Ohio Cattleman's Association
Jason Menchhofer, Ohio Environmental Health Association
Joe Logan, Ohio Environmental Council
Karen Chapman, Statewide Environmental Advocacy Organization
Kevin Elder, ODA LEPP
Kirk Hines, Ohio Department of Natural Resources
Maurice Eastridge, Ph.D., The Ohio State University
Michael Mull, DVM, Ohio Veterinary Medical Association
Rod Dunn, Water Management Association of Ohio
Russell Ludwig, public representative
Tony Anderson, County Commissioners Association of Ohio

Members Not Present

Brad Biggs, Ohio Department of Development
Bruce Macleod, Ohio Water Environment Association
Carl Link, Ohio Pork Producers Council
George Slater, public representative
Gerald Boynton, public representative
Pat Hord, Ohio Pork Producers
Roger High, Ohio Sheep Improvement Association
Tim Weaver, Ohio Poultry Association

ODA LEPP staff

Andy Ety, engineer
Bill Schwaderer, public information officer
Kelly Harvey, community relations liaison
Kristina Tonn, attorney
Marsha Perge, administrative assistant

ODA staff

Bill Hopper, chief legal counsel
Mike Bailey, executive director, Ohio Livestock Care Standards Board

Audience:

Dave White, executive director, Ohio Livestock Coalition
Matt DeTemple, executive director, Ohio Township Association

Jason Menchhofer called the meeting to order and asked if there were any additions or corrections to the agenda. Kevin Elder requested that a rule change regarding the public notice be added to the agenda as well as the continued need for a CAFF committee chairperson. Jason then asked if there were any additions or corrections to the Jan. 27, 2011, minutes. There were no changes or corrections. A motion to approve was made by Tony Anderson, and seconded by Russell Ludwig. All were in favor; motion carried.

Changes regarding notification to local officials in Statutes 307.204, 505.266 and 903.02 were addressed. The board agreed that the changes are necessary and reviewed the amendments recommended by the ODA legal staff. Tony Anderson noted that the statute changes would challenge the local officials to respond. As a county commissioner, he understood the need and had no issue with the amended statutes.

Matt De Temple, executive director, Township Trustees Association, stated that Ohio township trustees were not generally opposed to the amendments. He reiterated the trustees concerns were the impact of the facilities on the roads and the possibility of less money to deal with the repairs needed, if any.

Bill Hopper, ODA chief legal counsel, further emphasized that the changes to the statutes would in no way change the relationship between the facility and the local officials, and all protections would remain in place.

The possibility of changing the response time from 75 days to 90 days was discussed. Ultimately, it was decided that the statutes would remain as amended.

Jason entertained a motion for the board to file the statutes as amended. Chuck Divelbiss so motioned and Russell Ludwig seconded. A vote of 12 to 2 in favor of the statute amendments was so recorded. Motion carried.

Governor John Kasich announced his new budget on March 16, which called for a change on how legal notices would be published. Legal notices no longer would have to be published in a local newspaper; they could go on a new statewide website.

Kevin proposed that the board be proactive regarding the current requirement in Ohio Adm. Code 901:10-6-01 and 901:10-6-02 of publishing draft and final permits in a newspaper of local circulation. The issue and how the rules could ultimately be amended were discussed. The board agreed to amend the rules to mirror R.C. 903.09. A motion was made by Chuck Divelbiss motioned to accept this amendment, which was seconded by Tony Anderson. A vote of 12 for, 1 against and 1 abstained was so recorded. Motion carried. The final wording will be presented to the board at its next meeting.

Mike Bailey reported to the committee on The Livestock Care Board. LSCSB rules have been in the e-notification phase and greater than 4,700 public commits have been received and are to be reviewed. Mike stated the next meeting would be held on April 1, 2011. The Board is still moving to have their work in its final stages by the end of Spring.

Kevin reviewed the LEPP statics and old business items.

Kevin then updated the Committee regarding the inability of Tim Weaver to accept the nomination for Chairman. Kevin stated he had spoken with Carl Link and it is believed that Carl will take the Chair. This issue will be updated at the next committee meeting.

The next CAFF Advisory Committee meetings have been scheduled for: August 26, 2011.

Additional meetings have been set for: November 17, 2011, and January 19, 2012.

Motion to adjourn was made by Russell Ludwig; seconded by Joe Logan. All in favor, no opposed.

Meeting adjourned – 11:45 a.m.