

# Minutes

## LOUISIANA DEPARTMENT OF AGRICULTURE & FORESTRY

Louisiana Agricultural Commodities Commission

Veterans' Memorial Auditorium

5825 Florida Blvd.

Baton Rouge, LA 70806

June 22, 2012

9:30 a.m.

### I. Call to Order

Mr. Robert Hanks called the meeting to order at 9:55 a.m.

### II. Roll Call and Declaration of Quorum

#### Commission Members Present

#### Absent Members

Mr. Robert Hanks

Commissioner Strain

Mr. David Bollich

Mr. Donald Berken

Mr. Ryan Ellington

Mr. Filmore Bordelon

Mr. Keith Hensgens

Mr. Stephen Logan

Mr. Donald Zaunbrecher

Mr. Lee Carter

There was a quorum of nine (9) members present.

#### Staff Members Present

Assistant Commissioner, Office of the Agro Consumer Services, Benjy Rayburn

Interim 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

Administrative Assistant IV, Bridgette Ott

### III. Adoption of Minutes – May 30, 2012

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Keith Hensgens to approve the minutes. The motion carried unanimously.

**IV. Public Comment**

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

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

A motion was made by Mr. Donald Berken and seconded by Mr. Donald Zaunbrecher to go into Executive Session. The motion carried unanimously.

A motion was made by Mr. Keith Hensgens and seconded by Mr. Stephen Logan to come out of Executive Session. The motion carried unanimously.

**A. Grain Dealer**

1. Kennedy Rice Mill, LLC
2. Mid- South Grain & Feed Ingredients, LLC
3. Ragan and Massey, Inc.

A motion was made by Mr. Ryan Ellington and seconded by Mr. Donald Zaunbrecher to approve the following Grain Dealer applications: #2 Mid-South Grain & Feed Ingredients LLC, #3 Ragan and Massey, Inc, with #2 Mid-South Grain & Feed Ingredients, LLC being placed in the Monitoring Program. The motion carried unanimously.

A motion was made by Mr. Stephen Logan and seconded by Mr. Ryan Ellington to approve #1 Kennedy Rice Mill, LLC subject to meeting the \$100,000 net worth or a guarantee by their parent company and place it in the Monitoring Program. The motion carried unanimously.

**B. Grain Dealer and Cotton Merchant**

1. Lakeland Cotton Company, Inc.

A motion was made by Mr. Donald Zaubrecher and seconded by Mr. Lee Cater to approve the following Grain Dealer and Cotton Merchant license application: #1 Lakeland Cotton Company, Inc., and place them in the Monitoring Program. The motion carried unanimously.

**VI. Consideration of License Applications for Approval:  
(Renewal Applications)**

**A. Cotton Merchant**

1. Broadway and Hitt Cotton Company, Inc.
2. Hough Cotton Company, Inc.
3. Noble Americas Resource Corp.
4. P.J.S. Incorporated

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Ryan Ellington to approve the following Cotton Merchant license applications: #1 Broadway and Hitt Cotton Company, Inc., #2 Hough Cotton Company, Inc, and #3 Noble Americas Resource Corp., #4 P.J.S Incorporated Inc., with #1 Broadway and Hitt Cotton Company, Inc., #2 Hough Cotton Company, #4 P.J.S Incorporated, being placed in the Monitoring Program. The motion carried unanimously.

B. Grain Dealer

1. Beaumont Rice Mills, Inc.
2. Bertrand Rice, LLC
3. BU Growers, LTD
4. Bunge- Ergon Vicksburg, LLC
5. Crews Trading Company, Inc.
6. Harrington Rice & Soybean Buyer Co.
7. James Craig Pitre
8. Soileau Rice Broker
9. Pilgrim's Pride Corporation
10. The Scoular Company

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Keith Hensgens to approve the following Grain Dealer license applications: #1 Beaumont Rice Mills, Inc., #3 Bu Growers, LTD, #4 Bunge-Ergon Vicksburg, LLC, #7 James Craig Pitre, #8 Soileau Rice Broker, #9 Pilgrim's Pride Corporation and #10 The Scoular Company, with #4 Bunge- Ergon Vicksburg, LLC and #8 Soileau Rice Broker being placed in the Monitoring Program. The motion carried.

A motion was made by Mr. Stephen Logan and seconded by Mr. Donald Zaubrecher to approve Grain Dealer license applications #2 Bertrand Rice, LLC and #6 Harrington Rice & Soybean Buyer Co., with both being placed in the Monitoring Program. The motion carried. Mr. Filmore Bordelon abstained from voting.

A motion was made by Mr. Stephen Logan and seconded by Mr. Ryan Ellington to approve #5 Crews Trading Company, Inc., with the understanding that the company has to have a net worth of \$100,000 by the next LACC meeting in September. The motion carried unanimously.

C. Grain Dealer and Warehouse

1. Aaron Duhon Bins, Inc.
2. Acadian Rice Mill, LLC
3. Hensgens Grain Elevator, Inc.
4. Kennedy Rice Dryers, LLC
5. Planters Rice Mill, LLC
6. Sweet Lake Land & Oil Co., LLC
7. Winnsboro Elevator, LLC

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Keith Hensgens to approve the following Grain Dealer and Warehouse license applications: #1 Aaron Duhon Bins, Inc., #2 Acadian Rice Mill, LLC, #3 Hensgens Grain Elevator, Inc., #4 Kennedy Rice Dryers, LLC, #5

Planters Rice Mill, LLC, with #1 Aaron Duhon Bins, Inc., and #2 Acadian Rice Mill, LLC being placed in the Monitoring Program. The motion carried.

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Keith Hensgens to approve the following Grain Dealer and Warehouse license application: #7 Winnsboro Elevator, LLC, with Winnsboro Elevator, LLC being placed in the Monitoring Program. Mr. Lee Carter and Mr. Ryan Ellington abstained from voting. The motion carried.

A motion was made by Mr. Keith Hensgens and seconded by Mr. Stephen Logan to approve the following Grain Dealer and Warehouse license application: #6 Sweet Lake Land & Oil Co., LLC. Mr. Filmore Bordelon abstained from voting. The motion carried.

D. Warehouse

1. Basile Rice Drier & Storage Facility, Inc.
2. Dixie Drier, LLC
3. H & E Grain, LLC
4. Jones Producers Gin, Inc.
5. Rayne Rice Drier and Warehouse

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Keith Hensgens to approve the following Warehouse license applications: #1 Basile Rice Drier & Storage Facility, Inc., #3 H & E Grain, LLC, #4 Jones Producers Gin, Inc. and #5 Rayne Rice Drier and Warehouse, with #1 Basile Rice Drier & Storage Facility, Inc. and #3 H & E Grain, LLC being placed in the Monitoring Program. The motion carried.

A motion was made by Mr. Filmore Bordelon and seconded by Mr. Donald Zaunbrecher to approve the following Warehouse license application: #2 Dixie Drier, LLC. Mr. Keith Hensgens abstained from voting. The motion carried.

**Old Business**

Mr. Hanks asked if there was any old business. There was none.

**VIII. New Business**

Legislation

Ms. Holden stated that during the recent 2012 Regular Legislative Session the Louisiana Agricultural Commodities Commission submitted two bills, SB 148 and HB 152, for revision, cleanup and technical changes. SB 148/Act No.145 made technical changes, language clarification and repealed the Agriculture Commodity Marketing Law. HB 152/Act No.12 clarified language by including the \$200.00 application fee for cotton merchants which had not been stated clearly in the law under the cotton merchants' application for licensing requirements section.

A motion was made by Mr. David Bollich and second by Mr. Donald Zaunbrecher requesting an opinion from the Attorney General's office regarding the validity of existing contracts when a grain dealer, warehouse or cotton merchant license is either revoked or not re-issued.

Also, the Commission requested that the staff conduct a research survey as to how many, if any, states require a minimum net worth of \$100,000 for licensing requirements of grain dealers, warehouses or cotton merchants.

**IX. Public Comment**

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

**X. Date for the Next Meeting**

The date of the next meeting is scheduled for September 28, 2012 at 9:30 a.m.

**XI. Adjournment**

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



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**Mr. Robert Hanks, Chairman**